

REMARKS

This response is being submitted within the shortened one-month statutory period set for responding to the Office Action mailed on May 16, 2000. Therefore, an extension of time is not required.

This response amends Claims 1-8 and adds new Claims 11-21. Upon amendment, the application will have two independent claims (amended Claim 1 and Claim 9) and a total of twenty claims (Claims 1-9 and 11-21). Therefore, no fees for excess claims are due.

Support for amending Claims 1-8 can be found in, inter alia, the originally filed versions of Claims 1-4 and 6-9, respectively. Support for new Claims 11-13 can be found in, inter alia, the originally filed version of Claim 1. Support for new Claims 14 and 15 can be found in, inter alia, the originally filed version of Claim 3. Support for new Claims 16-18 can be found in, inter alia, the originally filed version of Claim 4. Support for new Claims 19 and 20 can be found in, inter alia, the originally filed version of Claim 6. Support for new Claim 21 can be found in, inter alia, the paragraph bridging pages 41 and 42 of the specification.

While the Applicants traverse the outstanding restriction requirement, the Applicants nevertheless provisionally elect Invention I (Claims 1-7 and 11-20) for prosecution on the merits. If Claim 1 is ultimately found to be allowable, then the Examiner should consider Claims 8 and 21 on the merits because Claims 8 and 21 are dependent on an allowable elected claim (Claim 1).

Under 35 U.S.C. § 121, the United States Patent and Trademark

Office is authorized, but is not required to restrict an application to one invention if two or more independent and distinct inventions are claimed in one application. In view of the expenses that would be imposed upon the Applicants by multiple patent applications and multiple patents, it is believed that restriction requirements should be issued only when absolutely necessary; and the Applicants respectfully request withdrawal of the outstanding restriction requirement.

The traversal of the restriction requirement and the remarks regarding the traversal are being submitted without prejudice. Neither the traversal of the restriction requirement nor the remarks regarding the traversal shall be interpreted as disputing the Examiner's suggestion that Inventions I, II, and III are patentably distinct.

It is submitted that the application is in condition for allowance. Allowance of the application at an early date is solicited.

This response amends Claims 1-8 and adds new Claims 11-21. The amendments and additions described in the preceding sentence were done to claim to the scope of the invention that the Applicants are entitled to claim and were not done to overcome the prior art. The cancellations, amendments, and additions described in the first sentence of this paragraph shall not be considered necessary to overcome the prior art.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to Deposit Account No. 12-0415 and, in particular, if this response is not timely filed, then the Commissioner is authorized to treat this Response as including a petition to extend the time period pursuant to 37 C.F.R § 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the

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petition fee due in connection therewith may be charged to deposit account No. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C., 20231 on

June 16, 2000

(Date of Deposit)

JOHN PALMER

(Name of Applicant, Assignee
or Registered Representative)

(Signature)

(Date)

Respectfully submitted,

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